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APPLICATION 1	NO. F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,236	10/706,236 11/12/2003		Brian P. Carney	IR-3265(AA)	6386
193	7590	10/03/2005		EXAMINER	
	CORPORAT		NILAND, PATRICK DENNIS		
	「& LEGAL S D DRIVE	SERVICES		ART UNIT	PAPER NUMBER
CARY, NC 27512				1714	

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)					
Office Action Summan.	10/706,236	CARNEY, BRIAN P.					
Office Action Summary	Examiner	Art Unit					
	Patrick D. Niland	1714					
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence address					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
1) Responsive to communication(s) filed on							
, <u> </u>	_· action is non-final.						
.—							
•	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
4)⊠ Claim(s) 1-14 is/are pending in the application	☐ Claim(s) 1-14 is/are pending in the application.						
	4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.							
6)⊠. Claim(s) <u>1-14</u> is/are rejected.	· · ——						
7) Claim(s) is/are objected to.							
• • •							
Application Papers							
9) The specification is objected to by the Examiner.							
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).							
a) ☐ All b) ☐ Some * c) ☐ None of:							
1. Certified copies of the priority documents have been received.							
2. Certified copies of the priority documents have been received in Application No							
3. Copies of the certified copies of the priority documents have been received in this National Stage							
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)							
1) Notice of References Cited (PTO-892)	4) Interview Summary						
<ol> <li>Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)</li> </ol>	Paper No(s)/Mail Da 5) Notice of Informal P	ate ratent Application (PTO-152)					
Paper No(s)/Mail Date <u>5/05</u> .	6) Other:						

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1-14 are rejected under 35 U.S.C. 102(a) as being anticipated by US Pat. No. 6627691 Mowrey et al..

Mowrey discloses the instantly claimed compositions, composite, and seal at the abstract; column 2, lines 8-67; column 3, lines 1-67, particularly 10, 22-28, and 59-62; column 4, lines 1-67, particularly 8-10, 28-37, 40-52, and 53-67; column 5, lines 1-67, particularly 18-21 and 49-53; column 6, lines 1-67, particularly 27-67; column 7, lines 1-21, particularly 14; and the remainder of the document.

4. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat. No. 6627691 Mowrey et al..

Mowrey discloses the instantly claimed compositions, composite, and seal at the abstract; column 2, lines 8-67; column 3, lines 1-67, particularly 10, 22-28, and 59-62; column 4, lines 1-67, particularly 8-10, 28-37, 40-52, and 53-67; column 5, lines 1-67, particularly 18-21 and 49-53; column 6, lines 1-67, particularly 27-67; column 7, lines 1-21, particularly 14; and the remainder of the document.

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It would have at least been obvious to the ordinary skilled artisan at the time of the instant invention to use the instantly claimed combinations of ingredients and amounts thereof in the adhesive of the patentee to make the instantly claimed seals and composites because these ingredient amounts and combinations are encompassed by the patentee and would have been expected to give the adhesive properties of the adhesive of the patentee.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick D. Niland whose telephone number is 571-272-1121. The examiner can normally be reached on Monday to Thursday from 10 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan, can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Primary Examiner
Art Unit 1714